

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WAYNE BERRY,
Plaintiff,
vs.
DEUTSCHE BANK TRUST COMPANY
AMERICAS (f.a. BANKERS TRUST COMPANY)
and JP MORGAN CHASE BANK, in their separate
capacities and as agents for the pre- and post-
petition lenders of Fleming Companies, Inc.;
GENERAL ELECTRIC CAPITAL
CORPORATION; C&S WHOLESALE GROCERS,
INC.; THE POST-CONFIRMATION TRUST OF
FLEMING COMPANIES, INC.; ROBERT KORS;
CORE-MARK HOLDINGS INC. and DOES 1 to
200.

Defendants. : X

DEMAND FOR JURY TRIAL

Plaintiff Wayne Berry hereby respectfully demands a trial by jury of all issues triable thereto.

Respectfully Submitted: Honolulu, Hawaii, December 21, 2007.

S/Timothy J. Hogan
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